

Message Text

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TAGS: SHUM, UY

SUBJ: REPORT ON PRISON VISITS BY EUROPEAN AMBASSADOR

REF: MONTEVIDEO 2854

THE FOLLOWING PARAPHRASED REPORT ON A VISIT TO LA LIBERTAD AND PUNTA DE RIELES PRISONS BY A LEADING WESTERN EUROPEAN AMBASSADOR IN MONTEVIDEO WAS SENT BY HIM TO HIS GOVERNMENT. THE CONTENTS OF THE REPORT WERE READ TO US BY AN OFFICER OF THAT EMBASSY WITH THE AMBASSADOR'S PERMISSION.

THE PRISONS (LA LIBERTAD AND PUNTA DE RIELES) PROBABLY WERE CAREFULLY CHOSEN AS THE MOST PRESENTABLE. PERHAPS NOT ONLY FOR THAT REASON, BUT ALSO BECAUSE THOSE WERE THE TWO VISITED IN APRIL BY TWO REPRESENTATIVES OF THE INTERNATIONAL RED CROSS. THE RED CROSS PEOPLE WERE WELL IMPRESSED BY THE PRISONS, BUT WERE NOT ALLOWED TO VISIT ANY OTHERS.

URUGUAYAN AUTHORITIES PROBABLY INTEND TO USE THE VISIT BY DIPLOMATIC CHIEFS OF MISSION TO DEFEND THEMSELVES FROM ACCUSATIONS THAT URUGUAY DOES NOT RESPECT HUMAN RIGHTS.

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A MAJORITY OF THE CHIEFS OF MISSION ACCEPTED THE INVI-

TATION TO VISIT THE TWO PRISONS, SOME AFTER CHECKING WITH THEIR GOVERNMENTS. I DID NOT HESITATE BECAUSE I BELIEVED IT IMPORTANT TO HAVE A FIRST-HAND ACCOUNT OF HOW PRISONERS ARE TREATED, AND ESPECIALLY TO INTERVIEW PERSONALLY THOSE WHO ARE OUR OWN NATIONALS. HOWEVER, I REALIZED THAT THERE MIGHT BE AN ATTEMPT TO USE US.

THERE HAD BEEN AN EARLIER AND SIMILAR VISIT ORGANIZED FOR MILITARY ATTACHES. ALL ACCEPTED, OURS INCLUDED, EXCEPT THE SOVIET. ALL CAME AWAY FAVORABLY IMPRESSED.

THE CHIEF OF THE JOINT STAFF INVITED SEVERAL MINISTERS OF STATE, COUNCILORS OF STATE AND FIFTEEN AMBASSADORS TO VISIT THE PRISONS JUNE 23-24. ALTHOUGH THREE LATIN AMERICANS DID NOT GO (COLOMBIA, VENEZUELA AND MEXICO), WESTERN EUROPE, AFRICA, ASIA, LATIN AMERICA AND THE MIDDLE EAST WERE REPRESENTED. THE U.S. AMBASSADOR DECLINED, GIVING HIS REASONS TO THE FOREIGN OFFICE. HE SAID THAT REPRESENTATIVES OF MULTILATERAL INTERNATIONAL ORGANIZATIONS, SUCH AS THE U.N., THE INTERNATIONAL RED CROSS, ETC., SHOULD HAVE BEEN INVITED RATHER THAN BILATERAL REPRESENTATIVES, SUCH AS AMBASSADORS, AS FULL OBJECTIVITY BY THEM COULD, IF CRITICAL, COMPROMISE THEIR MISSIONS AND NATIONAL INTERESTS; THUS GOING ON THE VISITS IN HIS OPINION CARRIED THE RISK OF BEING USED TO PORTRAY A FAVORABLE PICTURE.

IT WAS INEVITABLE THAT THE SECOND INVITATION (FOR JULY) TO AMBASSADORS WOULD BE SUBJECTED TO CLOSE CONSULTATION WITH GOVERNMENTS. COUNTRY X (WESTERN EUROPE) INSTRUCTED ITS AMBASSADOR TO DECLINE SINCE THE PRISONS TO BE VISITED WERE CHOSEN BY URUGUAYAN AUTHORITIES. THE CHARGE OF COUNTRY Y (WESTERN EUROPE) DECLINED WITH THE PRETEXT THAT THE INVITATION HAD BEEN SENT TO THE AMBASSADOR, WHO WAS AWAY. I THOUGHT IT A GOOD THING TO ACCEPT, BUT DID SO IN WRITING, ASKING THE AUTHORITIES IF I COULD SEE AND SPEAK TO NATIONALS (PRISONERS) OF MY COUNTRY. THIS WAS AGREED TO. IN THIS GROUP FOUR EASTERN EUROPEANS DID NOT GO (ONE ON HIS OWN DECISION), ONE OTHER WESTERN EUROPEAN DID NOT GO (ON INSTRUCTIONS) AND TWO EASTERN LIMITED OFFICIAL USE

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EUROPEANS WERE NOT INVITED. LATIN AMERICA AND THE MIDDLE EAST WERE ALSO REPRESENTED.

MY IMPRESSION OF THE TREATMENT AND CONDITION OF PRISONERS (I SPOKE FREELY WITH THEM) WAS FAVORABLE. THE MEN WERE TREATED WITH DISCIPLINE, BUT WITHOUT EXCESSIVE HARDSHIPS. THE TREATMENT OF THE WOMEN WAS SURPRISINGLY GOOD. I MET WITH THE NATIONALS OF MY COUNTRY IN THEIR

CELLS IN LA LIBERTAD AND ALSO WITH THE WOMEN (TWO OF HIS NATIONALITY) IN PUNTA DE RIELES. EVEN THOUGH SPANISH WAS OBLIGATORY, I USED MY LANGUAGE WITH A PRISONER AND THE GUARDS DISCREETLY WITHDREW RATHER THAN INSISTING ON OUR USE OF SPANISH.

THE GRAVE OMISSIONS OF URUGUAYAN MILITARY JUSTICE OBVIOUSLY ARE NOT VISIBLE TO THOSE WHO VISIT THE PRISONS:

(1) IF MISTREATMENT, INCLUDING TORTURE, OCCURRED, IT PROBABLY WAS DONE DURING THE FIRST PHASE OF DENTENTION (AFTER ARREST AND PRIOR TO BEING SENT TO PRISON). THUS, WHEN A PRISONER IS SENT TO PRISON, THIS REPRESENTS FOR HIM A GUARANTEE AND RELIEF. AS FAR AS I KNOW, GUARDS ARE NOT RESPONSIBLE FOR ANY ATROCITIES.

(2) ONLY 32 PERCENT OF THOSE IN LA LIBERTAD AND 20 PERCENT OF THOSE IN PUNTA DE RIELES HAVE BEEN SENTENCED. THE REST HAVE ONLY BEEN ARRAIGNED (PROCESSED). UNFORTUNATELY, PROCESSING CAN LAST FOR SEVERAL YEARS--TWO (PERSONS OF HIS NATIONALITY) ARE IN THAT POSITION.

(3) ONCE A PRISONER'S TERM IS COMPLETED, HE WILL NOT AUTOMATICALLY BE RELEASED. MANY, MAYBE EVEN MOST, ARE KEPT BEYOND THEIR TERMS.

I CONCLUDE THAT IN THE PRISONS VISITED, I COULD NOT SEE ANY VIOLATIONS OF HUMAN RIGHTS AND THAT CONDITIONS ARE SATISFACTORY. HOWEVER, THAT DOES NOT MEAN THAT THE PRESENT JUDICIAL SYSTEM IN URUGUAY IS NOT INCREDIBLY ARBITRARY OR IN CONFLICT WITH THE RIGHTS OF MEN.
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